

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

DR. ROSS WOODY

PLAINTIFF

VS.

CASE NO. 4:06-CV-4035

HANSEN DIRANI, ED ASH,
SCOTT ASH and the ASH
LAW FIRM

DEFENDANTS

ORDER

Before the Court is Defendant Hansen Dirani's Motion to Substitute Real Party in Interest. (Doc. 39-1). Dirani seeks to have his law firm, The Dirani Law Offices, P.L.L.C., step into his shoes and defend this matter. Plaintiff Dr. Ross Woody has responded in opposition. (Doc. 40-1). The matter is ripe for consideration.

In his response in opposition, Plaintiff directs the Court to Dirani's Answer to Plaintiff's Amended Complaint, in which Dirani admits that he is a party to the agreement at the heart of this matter, (Doc. 18, ¶ VII). Plaintiff notes that Dirani does not qualify this admission in any way, and does not claim that he only signed the agreements at issue on behalf of his professional corporation. Dirani further admits the allegations of paragraph XII of Plaintiff's Amended Complaint, which allege that Dirani contracted with Dr. Woody on behalf of the joint venture. Upon examination of Plaintiff's Amended Complaint and Dirani's Answer thereto, the Court is satisfied that the proper defendant in this matter is indeed Hansen Dirani—not The Dirani Law Offices, P.L.L.C. Accordingly, Dirani's Motion to Substitute Real Party in Interest should be and hereby is **DENIED**.

IT IS SO ORDERED, this 2nd day of August, 2007.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge